

Attorney's Docket No. 038827/205276

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Achs et al. Confirmation No.: 3993
Appl. No. 09/786,027 Filed: May 15, 2001
Patent No.: 6,550,232 Issue Date: April 22, 2003
For: ENERGY GUIDE CHAIN FOR GUIDING LINES COMPRISING
CHAIN LINKS WHICH CAN MOVE IN THREE DIMENSIONS

Attn: **Licensing and Review**
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION FOR RETROACTIVE LICENSE
37 CFR §5.25

Sir:

This is a renewal of the Petition for a Retroactive License under 37 CFR §5.25 filed on June 11, 2001, and is responsive to the Decision on Request mailed on June 5, 2006.

The Decision on Request denied the original petition on the basis that the requirements of 37 CFR 5.25(a)(3)(iii) were not fully met. Specifically, the Decision on Request held that since the German counsel had knowledge and made the actual decision to file the application abroad, a verified statement from the German counsel should be made, in which the circumstances surrounding the proscribed filings, including the discovery of the proscribed filings, are explained.

To comply with the stated requirement, attached is a Declaration of Mr. Ditmar Neumann of Erkelenz, Germany. As stated in the Declaration, Mr. Neumann was a member of the firm Bardehle Pagenberg Dost Altenburg Geissler (BDL) in Germany, and is now a member of Kahlhöfer, Neumann, Heilein (KNH) in Dusseldorf, Germany, and he was responsible for the preparation and filing of the applications in question.

Mr. Neumann also states that the instructions for filing the applications in question gave no indication that the

invention may have been made in the U.S., and that a foreign filing license under 35 USC §184 might be required. Thus the applications were filed in a routine manner by his office in Germany, without first seeking a foreign filing license.

The Declaration by Mr. Neumann also states that he first became aware of the possible application of 35 USC §184 to the application in question, upon receipt of a letter dated March 15, 2001 from their U.S. associates.

It is respectfully submitted that the requirements of 37 CFR 5.25(a) have been fully met, and that the request for a retroactive foreign filing license should be granted. Such action is solicited.

Respectfully submitted,



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